

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

DONALD WHITE,

Plaintiff,

v.

SUNOCO, INC.,

Defendant.

Case No. 2:15-04595-PSD

JOINT STATUS REPORT

Pursuant to the Court's January 30, 2018 request, the parties jointly submit this status report ahead of the upcoming status conference on February 8, 2018.

1. Proposed Protective Order

The parties have agreed to the terms of a proposed protective order, which was electronically filed on February 1, 2018 [Dkt. No. 44] for the Court's review and entry.

2. Initial Discovery Matters

Plaintiff served his Second Set of Requests for the Production of Documents to Sunoco, as well as a subpoena for documents to Citibank, on December 20, 2017. Sunoco served its Second Request for the Production of Documents to Plaintiff and its First Set of Interrogatories to Plaintiff on December 21, 2017. Both Plaintiff and Sunoco intend to serve written responses today, February 5, 2018, per the Court's December 14, 2017 Scheduling Order [Dkt. No. 40].

The parties have met and conferred regarding the timing and scope of Sunoco's production of data in response to Plaintiff's Second Request for the Production of Documents. Given the burden imposed by Plaintiff's requests and the volume of Sunoco's anticipated production, Sunoco offered an initial production by February 5, 2018, of responsive data for the first quarter of 2015. Plaintiff rejected this proposal and requested an initial data production for the time period of January 1, 2015 through the present. Sunoco has worked to accommodate Plaintiff's request and intends to produce responsive data, on February 5, 2018, that pertains to millions of transactions over a significant time period. Sunoco expects that Plaintiff will produce documents in response to Sunoco's Second Request for the Production of Documents on February 5, 2018.

Plaintiff believes Sunoco's data production in response to his Second Request for the Production of Documents should be completed by no later than February 28, 2018. Sunoco notes that the parties jointly proposed July 10, 2018 as the deadline for the close of fact discovery on Plaintiff's claims and class certification [Dkt. No. 42], which the Court entered in its Scheduling Order dated January 2, 2018 [Dkt. No. 43]. Sunoco will continue to produce data in response to Plaintiff's Second Request for the Production of Documents on a rolling basis, and anticipates completing this production within the next 60 days and certainly well in advance of the July 10 deadline. The parties agree that remaining discovery should commence without waiting on completion of Sunoco's data production in response to Plaintiff's Second Request for the Production of Documents.

Citibank, though its counsel, has served written objections to Plaintiff's subpoena. Each party has had separate discussions with counsel for Citibank. Plaintiff's counsel believes it will be beneficial for Citibank's counsel to appear at the February 5, 2018 conference and have invited him to attend.

Pursuant to Local Rule of Civil Procedure 5.1.2(9)(c), the undersigned attorneys have consented to the filing of this document by counsel for Defendant.

Dated: February 5, 2018

Respectfully submitted,

/s/ David J. Stanoch

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